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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/107,237	06/30/1998	ALAN HERROD	SYM-0625	7741

7590

03/13/2003

Kennenth D' Alessandro
Sierra Patent Group, Ltd
P.O. Box 6149
Stateline, NE 89449

EXAMINER

LAO, SUE X

ART UNIT

PAPER NUMBER

2126

DATE MAILED: 03/13/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/107,237

Applicant(s)

HERROD ET AL.

Examiner

S. Lao

Art Unit

2126

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 December 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 and 33-48 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-16, 33-48 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s). _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-16 and 33-48 are pending. This action is in response to applicant's appeal brief filed 12/27/2002.

2. The finality of the rejection of the last Office action is withdrawn.

3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

5. Claims 11, 45-48 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 11 recites "are not known the form object" in line 2, which is confusing. For the purpose of art rejection, it is interpreted as "are not known to the form object", as best understood and as it appears to be (considering parallel claim 42).

Claim 45 is a duplicate of claim 44. For the purpose of art rejection, it is interpreted as a parallel recitation of claim 13, as best understood and as it appears to be.

Claim 46 recites "The computer system of claim 45, wherein said data exchange mechanism". There is insufficient antecedent basis for this limitation in the claim.

Claims 47 and 48 recite "said sender includes a sender" in lines 1-2, which is confusing.

6. Claims 1-16 and 33-48 are rejected under 35 U.S.C. 103(a) as being unpatentable over Herrod et al (U S Pat. 5,604,516) in view of Citron et al (U S Pat. 5,288,976).

As to claim 1, Herrod teaches a method for transferring data (data) from a bar code reader (bar code scanning module 8) to a software application (form-based GUI application) having one or more data field (forms such as 7), including the steps of: storing (scanner interface 22) data from a bar code reader in an entity (scan-aware customer control 32); transferring the entity to the software application (data entry into GUI application); and associating the entity with a data field (form 7 including customer controls) in the software application based on the identification information (associated with control field 30 / control data). See col. 1, lines 25-49; col. 4, line 22-37; col. 4, line 66 - col. 6, line 24.

While Herrod does not explicitly teach storing identification information regarding the bar code reader together with the data in the entity, an Herrod's entity is primarily a Visual Basic customer control, or a modified version thereof, which is based on OLE/COM technology, which in turn includes source identifier in a typical data communication.

Nevertheless, Citron teaches bar code reader operations, wherein identification information regarding the bar code reader (reader ID) is stored and communicated together with the data (col. 5, line 62 - col. 6, line 2). Therefore, it would have been obvious to also store identification information regarding the bar code reader together with the data in the entity in Herrod. A motivation to combine the teachings of Herrod and Citron is as follows. Herrod supports multiple types of bar code and corresponding operations (col. 11-12), which to one of ordinary in the art would require a mechanism to validate the types and corresponding operations. Herrod does not provide such a mechanism. Citron provides such a mechanism (col. 5, line 62 - col. 6, line 2). Therefore, one of ordinary skill in the art would have been motivated to use the mechanism of Citron in Herrod to ensure valid types and operations.

As to claims 2, 3, Herrod teaches data object (VB implementation of customer control), one or more forms (forms), one or more form objects / data selection criteria (multiple controls, .PRP file). See col. 5, lines 1-7, 57-63; col. 11, lines 15-16.

As to claim 4, Herrod teaches routing the data object to one of the form objects chosen based on the data selection criteria and the identification information (col. 5, lines 8-30).

As to claim 5, Herrod teaches form objects associated with a specific form collectively describe the data input requirements of the form (format, properties, col.s 6-8).

As to claim 6, Herrod teaches identification information including indications of past history of data flow through the system (previous record, col. 6, line 2-10; col. 15, lines 46-56).

As to claims 7, 8, Herrod teaches one or more input requestors (operator), selection criteria specifying conditions for using the data object to satisfy (property / .PRP files, col. 7-8).

As to claim 9, Herrod teaches selection criteria including content of the data, and format of the data (properties of the controls, (property / .PRP files, col. 7-8). Including identification information would have been obvious in view of the discussion of claim 1.

As to claims 10, 11, Herrod teaches processing the data in the data object (input, retrieve, display). In Herrod, the processing details of the data object are not known the form object because such information is stored in .PRP files and retrieved during run-time initialization.

As to claim 12, Herrod teaches transferring step is performed by an operating system (VB platform and underlying DOS).

As to claims 13, 14, 16, Herrod teaches data exchange in local as well as remote fashions (col. 5, lines 1-3). Herrod teaches sending the data to a data exchange mechanism including OLE/COM (OLE/COM implemented by VB). It is noted that DDE is a predecessor of OLE, DCOM is a distributed form of COM, and CORBA is the major competing standard to DCOM. Therefore, it would have been obvious to use one of these as the data exchange mechanism depending on the underlying system hardware / software configuration.

As to claim 15, Herrod teaches operations including operation sequencing/synchronization, data translation, content filtering, and path routing (initializing scan-aware customer controls with control data / property file).

As to claim 33, it is a system claim of claim 1, thus note the discussion of claim 1, and memory writer, sender and matcher are inherent to the system of Herrod.

As to claims 34-48, note the corresponding claims 2-16, respectively, for discussions.

8. Applicant's arguments filed 12/27/2002 have been considered but are moot in view of the new ground(s) of rejection.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sue Lao whose telephone number is (703) 305-9657. A voice mail service is also available at this number. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 746-7238 for After Final communications, (703) 746-7239 for Official communications and (703) 746-7240 for Non-Official/Draft communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-9600.

Sue Lao 

March 7, 2003